

REMARKS

The Examiner and his Supervisor are thanked for the courtesy of the personal interview held on the morning of October 6, 2010. The major discussion at the interview involved the wording of Claim 3 to address the Section 112, second paragraph issues, the claim interpretation issue raised in paragraph 8 of the Office Action and the nature of the subject matter encompassed by Claim 3. No discussion of allowable Claims 4 and 5 occurred. Upon conclusion of the discussion concerning the foregoing issues, it was generally agreed that the Kitani et al patent does not teach or suggest the creation of the starting designs, the calculation of the individual progressive lenses for wearing tests, conducting of wearing tests, and modification and adjustment of the starting designs. And it also appears that the Office does not contend that Yamakaji et al teaches or suggests such feature.

For the foregoing reasons, withdrawal of the rejection of Claim 3 under 35 U.S.C. § 112, second paragraph and 103(a) is requested. Early and favorable action is earnestly solicited.

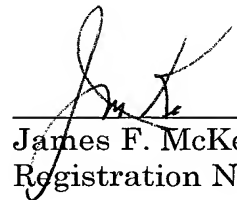
If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and

please charge any deficiency in fees or credit any overpayments to Deposit
Account No. 05-1323 (Docket # 100341.56596US).

Respectfully submitted,

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